

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3**

Close-Out Special Bulletin

**LeFevre Street Container Site
2710 LeFevre Street
Philadelphia, PA 19137**

Latitude 39.999647 Longitude -75.072801

Project Number: 656

Site ID Number: A3MZ

ATTN: Linda Marzulli, RRC
Region 3 Distribution List

SITUATION: September 29, 2009

Reporting Period: This Close Out Special Bulletin provides a synopsis of work performed at the site since enactment of the Special Bulletin \$250,000 emergency activation on April 14, 2009 until completion on June 15, 2009. Work activities involved the assessment and removal of polychlorinated biphenyls (PCBs) and oils from various containers including drums, large totes and an underground tank located at an open lot in the Bridesburg section of Philadelphia.

1.0 Introduction

1.1 Background :

Based on the OSC's assessment of the site and available information, he prepared a Special Bulletin \$250,000 emergency activation on April 14, 2009. Of the \$250,000 potential ceiling, \$50,000 was funded to this project.

In March 2009, the City of Philadelphia Fire Department (City Fire) and Licenses & Inspections Department (City L&I) informed the EPA Region 3 Removal Program about liquid-filled containers at an open lot at 2710 LeFevre Street in the Bridesburg section of Philadelphia. The City had arranged for sampling of the containers and results showed the presence of PCBs in several. In April 2009, the On Scene Coordinator (OSC) conducted an onsite removal evaluation of the containers located at the Site in accordance with the National Oil and Hazardous Substances Contingency Plan (NCP), 40 CFR Part 300. The evaluation revealed the potential for the release of hazardous substances (PCBs) to the environment posing a threat to public health or welfare or the environment. The OSC determined that Site conditions met the criteria in Section 300.415 of the NCP for initiating a Removal Action. As a result of Site conditions, an emergency removal response action was initiated.

The OSC had first visited the Site on April 3, 2009 but did not have access to the property. From the street pavement, the OSC could observe five (5) large plastic containers (totes), ten to fifteen (10 to 15) 55-gallon metal drums, several smaller drums and a few one gallon cans. The totes obviously contained liquid. The containers were located roughly 60 yards in from the street in the corner of a vacant lot adjacent to several residential yards (see file photos). The lot was roughly 60 yards by 20 yards in size and was devoid of vegetation.

A fence, reportedly placed there by a City contractor, immediately surrounded the containers. A fence also was in place along the front of the property parallel to the pavement. This fence had an opening that could be traversed. Also, the lot could easily be accessed from the street as one of two residential yards located on LeFevre Street directly adjacent to the lot had a wooden fence but the entire fence door was missing. Most of the residential yards, about 16 total, abutting the lot on each side had no fence along the lot border and residents could walk right onto the vacant lot.

The OSC was informed by City representatives that the City acted on a Court Order to demolish a warehouse that was located on what is now the vacant lot. The warehouse was demolished by a City contractor in October 2008. The brick warehouse reportedly was 2.5 stories in height, of early 1900s vintage and was most recently used to house electrical parts and components by the property owner. The warehouse had covered all of the footprint of the vacant lot except for an approximate 20 yard by 20 yard area in the back. The City representatives indicated that the liquids currently stored within the onsite containers along with an underground storage tank were discovered during the demolition activity.

In early April, the OSC reviewed a sampling analytical report from the City, prepared by a City subcontractor (letter report of 2/2/09 ^{non responsive based on revised scope} **"non responsive based on revised scope"**) that indicated two of the /kg) of PCBs, one contained low level PCBs (below 50 mg/kg), and two did not contain PCBs. The report states that "all of the large plastic box containers (aka totes) contain 86% diesel oil.....". Only one composite sample was collected from the many drums on the site and analyzed for PCBs and diesel range organics (diesel range organics is an analytical measure for a specific type of petroleum hydrocarbons). The results revealed non-detect for PCBs but diesel range organics exceeded 95%. The OSC contacted the subcontractor employee who collected the samples and learned that the composite sample was collected from approximately five drums. The report indicated that the underground tank did not contain PCBs but had a diesel range organics level of 47%. The report estimates that the totes contain 980 gallons of liquid, the metal and plastic drums (total number reported as 14) contain 720 gallons and the underground tank contains 2200 gallons.

On April 8, the OSC met the property owner at the Site and was able to directly view the containers. The owner agreed to sign a letter acknowledging access for the day. The OSC indicated a need to have the containers placed in a storage box or trailer given the reported analytical results and proximity of the community.

The OSC provided an access agreement to the property owner requesting consent to place the containers in a large storage box, conduct sampling and analysis of the containers and arrange for disposal. The owner indicated that he would like to confer with his attorney before agreeing to sign the document. Orally, the owner agreed to placement of the totes in a storage container but questioned the need for placement of the drums inside given the City subcontractor report indicating that PCBs were not found. The OSC responded that he could not confirm the reliability of the sampling results at this point (although he must assume the positive PCB values are accurate), it was not clear if all of the drums were sampled and analyzed (as indicated above, it was confirmed later by the OSC they were not), and if drums containing diesel oil alone were vandalized and a leak occurred, the owner may be required by the State or City to clean up any contaminated soil. The owner asked if he could collect samples from the containers and the OSC indicated that was his prerogative but recommended that EPA split samples concurrently with the owner. The OSC indicated that, if any of the containers were found to contain unadulterated oils, he would consider having the owner take custody of the containers if the owner could show he can properly transport and store the containers.

The OSC and owner parted on April 8 with the understanding that EPA would be contacting the owner or owner's attorney in a day or two about an agreement to place the containers inside a storage box and that the OSC would be preparing documentation to initiate a removal action at the Site.

| | |
|--------------------------------|--|
| Site No.: | A3MZ |
| Delivery Order/Task Order No.: | EP-S3-07-01 TO#19 |
| Response Authority | CERCLA, §104(a) |
| Response Type | Time Critical |
| Operable Unit | Site wide |
| Type of Removal Action | RV – Removal |
| Lead | EPA financed |
| NPL Status: | Non-NPL |
| State Notification | PADEP-Notified |
| Action Memorandum Status | N/A - |
| | Special Bulletin Activation April 14, 2009 |
| Start Date: | April 14, 2009 |
| Demobilization Date: | June 15, 2009 |
| Completion Date: | Close Out Bulletin complete |
| | September 30, 2009 |

1.1.1 Incident Category: Containers holding PCBs and oils located in an open lot within a residential neighborhood. Access minimally restricted.

1.1.2 Site Description

1.1.2.1 Site Location and Removal Assessment: The Site is located at 2710 LeFevre Street in the City of Philadelphia's Bridesburg neighborhood (see Background section above and Attachment 1 - Aerial

Photograph). See above for a description of the OSC's Removal Assessment.

1.1.2.2 Description of Threat: PCBs were the identified substance of concern at the site. The PCBs were contained in several drums and totes in the rear lot of an area where a former electrical supply warehouse was demolished in October 2008. Based on the OSC's visual count, the lot contained a total of thirteen 55-gallon drums, three 30-gallon drums, five ~300 gallon totes and miscellaneous smaller containers (see POLREP #2). PCBs were ultimately discovered to be in the oils contained in five of thirteen drums and all five totes based on EPA-coordinated sampling and analyses. PCB positive results ranged from 2.4 mg/kg to 278,000 mg/kg.

Potential exposure to nearby populations may have occurred as a result of the following conditions:

- The fence along the front of the Site was compromised, the residential yard adjacent to the front of the Site is missing a fence door and many adjacent residential yards abutting the lot do not have fences. All of these conditions allowed for access to the vacant lot at the Site,
- The Site is located in a densely populated neighborhood. Row homes and yards surround and are located directly adjacent to the Site,
- Although the containers were immediately surrounded by a fence erected by the City contractor, the fence was temporary and could be traversed or damaged by trespassers,
- Evidence of trespassing near the containers was observed (miscellaneous commercial items were observed on the ground near the containers during the April 8 OSC visit.)

PCBs are hazardous substances within the meaning of CERCLA because they are listed in Section 302.4 of the National Contingency Plan.

The most commonly observed health effects in people exposed to large amounts of PCBs are skin conditions such as acne and rashes. Studies in exposed workers have shown changes in blood and urine that may indicate liver damage. Most of the studies of health effects of PCBs in the general population examined children of mothers who were exposed to PCBs. Animals that ate food containing large amounts of PCBs for short periods of time had mild liver damage and some died. Animals that ate smaller amounts of PCBs in food over several weeks or months developed various kinds of health effects, including anemia; acne-like skin conditions; and liver, stomach, and thyroid gland injuries.

Other effects of PCBs in animals include changes in the immune system, behavioral alterations, and impaired reproduction. Studies of workers indicate that PCBs were associated with certain kinds of cancer in humans, such as cancer of the liver and biliary tract. The Department of Health and Human Services (DHHS) has concluded that PCBs may reasonably be anticipated to be carcinogens. The EPA and the International Agency for Research on

Cancer (IARC) have determined that PCBs are probably carcinogenic to humans.

2.0 Activities

2.1.1 Current situation: As of June 15, 2009, EPA's contractor had arranged for the removal of all containers from the Site for transport and disposal. Waste streams from the drums and containers went to several different disposal or reclamation locations dependent on material type (e.g. oil, empty containers) and PCB concentration. Roughly 1600 gallons of liquid were contained in the drums, totes and smaller containers of which approximately 1250 gallons contained PCBs. Approximately 2200 gallons of non-PCB oil was removed from an underground tank on the site (~ 5000 gallon tank) and sent offsite for reclamation.

2.1.2 Response activities to date: Following is a description of major activities performed at the Site:

- The OSC frequently coordinated with the Site owner and with the City of Philadelphia about plans and upcoming activities during the period from late March through June 15, 2009,
- A large storage container was placed onsite by ERRS on April 16 and all drums, totes and smaller containers were moved inside;
- ERRS collected samples for waste disposal purposes from the onsite containers and underground tank on May 11 and 20;
- A Site fact sheet was prepared and delivered by hand to adjacent homeowners on May 11. The OSC and Community Involvement Coordinator met with several residents and also with a State Representative,
- A notice letter to the Site owner was prepared by the EPA Region 3 Cost Recovery Program on June 11, 2009 and delivered by hand on June 12,
- The ERRS contractor removed all waste streams from the Site, including all above ground containers, for transport and disposal/reclamation on June 12, 2009 (the OSC still awaits Certificates of Disposal from the disposal facilities). The underground tank was not removed.
- The large, rented storage container was removed on June 15, 2009.
- On July 2, the OSC informed the City of Philadelphia Law Department about a claim by a reputable source that PCB oils may have been permitted to leak in the rear portion of the vacant lot. This individual, formerly employed by the City, inspected the facility in the early 1980s when the electrical parts warehouse was in operation and had obtained information suggesting this. The OSC suggested that the City make this a requirement before any future development of the property. He offered to arrange for sampling of the area if the City wished.

See project photographs in site file for progression of work.

2.1.3 Progress Metrics

| <i>Wastestream</i> | <i>Medium</i> | <i>Quantity</i> | <i>Containment</i> | <i>Disposal</i> |
|----------------------|---------------|-----------------|-------------------------|---------------------------|
| | | | | |
| PCB-contaminated oil | Oil | ~ 1250 gallons | Drums and totes | PCB incinerator |
| Various oils | Oil | ~2600 gallons | Underground tank, drums | Fuel blending/reclamation |

2.1.4. Enforcement Activities, Identity of Potentially Responsible Parties

(PRPs): EPA's Cost Recovery Program evaluated site file information and conferred with the OSC in May and June 2009. The OSC conferred with Regional Counsel as needed regarding site access and coordination with the Site owner regarding EPA removal of onsite materials. Although the OSC had previously informed the Site owner that he may be responsible for cleanup costs, a notice letter was hand-delivered by the OSC to the Site owner on June 12, 2009. The owner's attorney sent a letter to EPA on April 21, 2009 questioning the Site owner's potential liability for cleanup costs.

2.2 Planning

2.2.1 Anticipated activities for next reporting period: The OSC has determined that all cleanup work at this site is complete.

2.2.2 Issues/Action Consequences: Due to a medical appointment, the OSC could not be present on June 12 when the materials were removed from the Site by the ERRS subcontractor. OSC Eugene Dennis was present.

2.3 Logistics: The time required to remove the materials from the site was a concern to some residents (and to the OSC). Because of the nature of the work, the OSC and ERRS personnel were onsite for only a few days during the April to June time frame.

2.4 Finance

2.4.1 Narrative

The accounting of expenditures below is an estimate based on figures known to the OSC at the time this report was written. The cost accounting provided in the table does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery. The cost table does not include direct Intramural (e.g. EPA personnel) and Indirect costs. The vast majority of the cost at this site was for the transport and disposal of materials.

2.4.2 Cost Table

| | <i>Budgeted</i> | <i>Cost To Date</i> |
|-------------------------|------------------|---------------------|
| <i>ERRS Contractor</i> | <i>\$50,000</i> | <i>~\$25,500</i> |
| <i>START Contractor</i> | <i>0</i> | <i>0</i> |
| <i>Unallocated</i> | <i>\$200,000</i> | <i>0</i> |
| | | |
| <i>Project Ceiling</i> | <i>\$250,000</i> | <i>~\$25,000</i> |
| | | |

3.0 Participating Entities

3.1 Cooperating and Assisting Agencies:

The Pennsylvania Department of Environmental Protection (PADEP) was informed of our work at the site. The OSC conferred with the City of Philadelphia to obtain background information on the Site and kept City officials aware of ongoing cleanup activities.

Following are the agencies/companies involved with the Site and individual agency or organization personnel:

| | |
|---|---|
| <u>City of Philadelphia –</u> "non responsive based on revised scope" Esquire Deputy City Solicitors, Law Department "non responsive based on revised scope" | "non responsive based on revised scope" Hazardous Materials Administrative Unit Philadelphia Fire Department 215-685-8061 "non responsive based on revised scope" I |
| <u>Prime ERRS Contractor - WRS Compass Inc.</u> "non responsive based on revised scope" Response Manager and Response Manager "non responsive based on revised scope" Project Manager "non responsive based on revised scope" | <u>PADEP Underground Storage Tank Program –</u> "non responsive based on revised scope" 484-250-5718 <u>PADEP Inspector for Philadelphia Area –</u> "non responsive based on revised scope" |
| EPA OSC – Jack Kelly 215-814-3112 EPA assisting when Kelly away on June 12, 2009 – Eugene Dennis, OSC 215-814-3202 | <u>ERRS Subcontractor arranging for disposal:</u> "non responsive based on revised scope" Phila, PA 19137 215-267-3700 "non responsive based on revised scope" -- "non responsive based on revised scope" used two disposal facilities for incineration and fuel blending of PCBs or oils: "non responsive based on revised scope" Middlesex, NJ 08846 and "non responsive based on revised scope" Port Arthur, TX 77460 "non responsive based on revised scope" contracted with this company for fuel recovery/reclamation "non responsive based on revised scope" Lancaster, PA 17601 |
| EPA Site Attorney – Dina Kasper 215-814-2688 | EPA Civil Investigator- Larry Richardson 215-814-3289 |

| | |
|---|--|
| | |
| EPA Community Involvement Coordinator – Trish Taylor 215-814-5539 | |
| <u>Site Owner</u> - John Joyce 1144 Morton Ave Folsom, PA 19033 610-209-9114 | <u>Attorney for Mr. Joyce</u> Douglas F. Schleicher, Esquire Klehr, Harrison, Harvey, Branzburg & Ellers LLP 260 S. Broad Street Philadelphia, PA 19102 (215) 569-2795 (phone) |
| | |

4.0 Personnel: Personnel at the site included the ERRS Response Manager, ERRS chemist and the OSC(s). The EPA Community Involvement Coordinator also visited the Site.

5.0 Source of Additional Information: For additional information, please refer to the LeFevre Street Container Site file. The file includes sampling results, maps, photographs, cost documentation, correspondence, etc.

Attachment 1 - Aerial photograph of 4801 Stenton Avenue